

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	Case No.: CR 14 - 70298 PSG
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del> ORDER
v.	)	
KISHORE PALLAPOTHU,	)	[UNDER SEAL]
Defendant.	)	

Defendant Kishore Pallapothu has been charged with a violation of 18 U.S.C. § 1505, Obstruction of Justice, and has been released on terms and conditions including an appearance bond and supervision by Pretrial Services.

This matter is scheduled to come before the Court for preliminary hearing or arraignment on indictment on Monday, June 29, 2015.

Since the last calling of the case, the defense has made additional information available to the government. Additional time is required to receive, review and analyze the discovery. The parties are also continuing to discuss the merits of the underlying investigation relative to a possible disposition of this matter short of indictment and such disposition may include cooperation.

Accordingly, the parties mutually agree and hereby stipulate that a short continuance of this matter from June 29, 2015, until September 3, 2015, is necessary for effective preparation of counsel and for continuity of counsel. The parties further agree and stipulate that the time from June 29, 2015,

1 through and including September 3, 2015, may be excluded from the computation of time within which  
2 an information or indictment shall be filed under the Speedy Trial Act, in order to ensure the reasonable  
3 time necessary for effective preparation and continuity of counsel, pursuant to Title 18, United States  
4 Code Section 3161(b), (h)(7)(A), (h)(7)(B)(iv), as well as a mutual stipulation to waive time for an  
5 indictment or preliminary hearing, pursuant to Rule 5.1 of the Federal Rules of Criminal Procedure, up  
6 to and including September 3, 2015, based on the need for effective preparation of counsel and  
7 continuity of counsel.

8 Finally, as this document references a disposition including cooperation, the parties request that  
9 this stipulation and order be filed under seal.

10 **IT SO STIPULATED.**

11  
12 MELINDA HAAG  
United States Attorney

13  
14 Dated: June 25, 2015

15 /s/  
TIMOTHY J. LUCEY  
Assistant United States Attorney

16  
17  
18 Dated: June 25, 2015

19 /s/  
EDWIN PRATHER  
Attorney for Defendant  
KISHORE PALLAPOTHU

20  
21  
22 **~~PROPOSED~~ ORDER**

23 **GOOD CAUSE APPEARING** and per the parties' stipulation, the Court enters this order  
24 continuing the date for a preliminary hearing or arraignment on an indictment, from Monday, June 29,  
25 2015, until Thursday, September 3, 2015, before the duty magistrate, as well as documenting the  
26 defendant's waiver of the time to conduct a preliminary hearing under Federal Rule of Criminal  
27 Procedure Rule 5.1, as well as the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from  
28 June 29, 2015, up to and including September 3, 2015.

1 Finally, as this stipulation and order references cooperation, the document shall be filed under  
2 seal pending further order of this Court, except that copies may be provided to the United States and  
3 counsel for the defendant.

4 **IT IS SO ORDERED.**

5  
6 **Dated:** June 26, 2015

